



Reprinted
February 17, 2015

HOUSE BILL No. 1636

DIGEST OF HB 1636 (Updated February 16, 2015 7:03 pm - DI 116)

Citations Affected: IC 20-24.

Synopsis: Charter schools. Provides that a governing body of a school corporation, a state educational institution, and a nonprofit college or university must register with the state board of education (state board) if it has not previously issued a charter for any charter school prior to July 1, 2015. Makes changes to the definition of an "organizer". Requires the state board to provide a formal evaluation of the overall state of charter school outcomes in Indiana every five years. Provides that a charter school may give enrollment preference to children of the charter school's founders, governing body members, and charter school employees, as long as preference is not given to more than 10% of the charter school's total population. Provides that if a proposal to establish a charter school concerns an existing charter school overseen by a different authorizer than the authorizer to which the organizer is submitting the proposal, the proposal must include written acknowledgement of the proposal from the current authorizer. Provides that a charter school may limit admissions to allow preschool students who attend a Level 3 or Level 4 Paths to QUALITY program preschool provider to attend kindergarten at a charter school if the charter school and the preschool provider have entered into an agreement to share services or facilities. Provides that a governing body is not bound by a collective bargaining agreement for employees of a conversion charter school. Provides that employees of a conversion charter school may collectively bargain.

Effective: July 1, 2015.

Behning, Moed

January 22, 2015, read first time and referred to Committee on Education.
February 10, 2015, amended, reported — Do Pass.
February 12, 2015, call withdrawn.
February 16, 2015, read second time, amended, ordered engrossed.

HB 1636—LS 6786/DI 116



Reprinted
February 17, 2015

First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1636

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-24-1-2.5, AS ADDED BY P.L.280-2013,
2 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 2.5. "Authorizer" means, for a charter school, one
4 (1) of the following:
5 (1) **Subject to IC 20-24-2.2-1.2**, a governing body.
6 (2) A state educational institution that offers a four (4) year
7 baccalaureate degree.
8 (3) The executive (as defined in IC 36-1-2-5) of a consolidated
9 city.
10 (4) The charter board.
11 (5) **Subject to IC 20-24-2.2-1.2**, a **governing board of a**
12 **nonprofit college or university** that provides a four (4) year
13 educational program for which it awards a baccalaureate or more
14 advanced degree, including the following:
15 Anderson University

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1 Bethel College
 2 Butler University
 3 Calumet College of St. Joseph
 4 DePauw University
 5 Earlham College
 6 Franklin College
 7 Goshen College
 8 Grace College
 9 Hanover College
 10 Holy Cross College
 11 Huntington University
 12 Indiana Tech
 13 Indiana Wesleyan University
 14 Manchester College
 15 Marian University
 16 Martin University
 17 Oakland City University
 18 Rose-Hulman Institute of Technology
 19 Saint Joseph's College
 20 Saint Mary-of-the-Woods College
 21 Saint Mary's College
 22 Taylor University
 23 Trine University
 24 University of Evansville
 25 University of Indianapolis
 26 University of Notre Dame
 27 University of Saint Francis
 28 Valparaiso University
 29 Wabash College.

30 SECTION 2. IC 20-24-1-7, AS ADDED BY P.L.1-2005, SECTION
 31 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
 32 2015]: Sec. 7. "Organizer" means a group or an entity that:

33 (1) has been determined by the Internal Revenue Service to be
 34 operating under nonprofit status or has applied for such
 35 determination; **and**

36 (2) enters into a contract under this article to operate a charter
 37 school; **and**

38 **(3) is an independent board of a charter school that is a party**
 39 **to the charter contract with the authorizer, whose members**
 40 **have been elected or selected under the school's application.**

41 SECTION 3. IC 20-24-2.2-1.2 IS ADDED TO THE INDIANA
 42 CODE AS A NEW SECTION TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2015]: Sec. 1.2. (a) This section applies to an
2 authorizer described in IC 20-24-1-2.5(1), IC 20-24-1-2.5(2), and
3 IC 20-24-1-2.5(5) if the authorizer has not previously issued a
4 charter for any charter school prior to July 1, 2015.

5 (b) A governing body of a school corporation may register with
6 the state board for charter authority within the attendance area of
7 the school corporation. The state board shall post on the state
8 board's Internet web site an application received from an
9 authorizer to register with the state board under this section within
10 ten (10) days after receipt of the application. The state board may
11 not charge an authorizer a fee to register with the state board
12 under this section.

13 (c) A governing board of a nonprofit college or university
14 described in IC 20-24-1-2.5(5) may apply to the state board for
15 statewide, regional, or local chartering authority.

16 (d) The state board shall publicize to all governing bodies the
17 opportunity to register with the state board for chartering
18 authority within their school corporation. Not later than May 1 of
19 each year, the state board shall provide information about the
20 opportunity, including a registration deadline, to all governing
21 bodies. To register as an authorizer, each interested governing
22 body must submit the following information in a format prescribed
23 by the state board:

24 (1) A written notification of intent to serve as a charter
25 authorizer in accordance with this article.

26 (2) An explanation of the governing body's strategic vision for
27 chartering.

28 (3) An explanation of the governing body's budget and
29 personnel capacity and commitment to execute the duties of
30 quality charter authorizing in accordance with this article.

31 (4) An explanation of how the governing body will solicit
32 charter school applicants in accordance with IC 20-24-3.

33 (5) A description or outline of the performance framework the
34 governing body will use to guide the establishment of a
35 charter contract and for the oversight and evaluation of
36 charter schools, consistent with this article.

37 (6) A draft of the governing body's renewal, revocation, and
38 nonrenewal processes, consistent with this article.

39 (7) A statement of assurance that the governing body commits
40 to serving as a charter authorizer in fulfillment of the
41 expectations, spirit, and intent of this article, and that the
42 governing body will fully adopt standards of quality charter



- 1 school authorizing in accordance with section 1.5 of this
2 chapter.
- 3 (e) Within sixty (60) days of receipt of the information described
4 in subsection (d), the state board shall register the governing body
5 as a charter authorizer within the attendance area of the school
6 corporation and shall provide the governing body a letter
7 confirming the governing body's registration as a charter
8 authorizer. A governing body may not engage in any charter
9 authorizing functions without a current registration as a charter
10 authorizer with the state board.
- 11 (f) The state board shall establish an annual application and
12 approval process, including cycles and deadlines during the state
13 fiscal year, for registering an entity described in IC 20-24-1-2.5(5)
14 for authorizer authority. Not later than May 1 of each year, the
15 state board shall make available information and guidelines for an
16 applicant described in IC 20-24-1-2.5(5) concerning the
17 opportunity to apply for chartering authority under this article.
18 The application process must require each applicant to submit an
19 application that clearly explains or presents the following elements:
- 20 (1) A written notification of intent to serve as a charter
21 authorizer in accordance with this article.
- 22 (2) The applicant's strategic vision for chartering.
- 23 (3) A plan to support the applicant's strategic vision described
24 in subdivision (2), including an explanation and evidence of
25 the applicant's budget and personnel capacity and
26 commitment to execute the duties of quality charter
27 authorizing in accordance with this article.
- 28 (4) A draft or preliminary outline of the request for proposals
29 that the applicant would, if approved by the state board under
30 this section, issue to solicit charter school applicants under
31 IC 20-24-3.
- 32 (5) A draft of the performance framework that the applicant
33 would, if approved by the state board under this section, use
34 to guide the establishment of a charter contract and for
35 ongoing oversight and evaluation of charter schools consistent
36 with this article.
- 37 (6) A draft of the applicant's renewal, revocation, and
38 nonrenewal processes.
- 39 (7) A statement of assurance that the applicant commits to
40 serving as a charter authorizer in fulfillment of the
41 expectations, spirit, and intent of this article, and that the
42 applicant will fully adopt standards of quality charter school



1 authorizing in accordance with section 1.5 of this chapter.

2 (g) Not later than July 1 of each year, the state board shall grant
3 or deny chartering authority to an applicant under subsection (f).
4 The state board shall make its decision on the merits of each
5 applicant's proposal and plans submitted under subsection (f).

6 (h) Within thirty (30) days of the state board's decision under
7 subsection (g), the state board shall execute a renewable
8 authorizing contract with an applicant that the state board has
9 approved for chartering authority. The initial term of each
10 authorizing contract is six (6) years. The authorizing contract must
11 specify each approved applicant's agreement to serve as a charter
12 authorized in accordance with this article and shall specify
13 additional performance terms based on the applicant's proposal
14 and plan for chartering. An approved applicant may not
15 commence charter authorizing without an authorizing contract in
16 effect.

17 (i) The state board shall maintain on the state board's Internet
18 web site the names of each authorizer approved by the state board
19 under this section.

20 SECTION 4. IC 20-24-2.2-1.5, AS ADDED BY P.L.280-2013,
21 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2015]: Sec. 1.5. All approved authorizers shall adopt
23 standards of quality charter school authorizing, as defined by a
24 nationally recognized organization with expertise in charter school
25 authorizing.

26 SECTION 5. IC 20-24-2.2-8 IS ADDED TO THE INDIANA CODE
27 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
28 1, 2015]: **Sec. 8. Beginning in 2016, the state board shall provide a
29 formal evaluation of the overall state of charter school outcomes in
30 Indiana every five (5) years. The evaluation shall be posted on the
31 state board's Internet web site.**

32 SECTION 6. IC 20-24-3-4, AS AMENDED BY P.L.280-2013,
33 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2015]: Sec. 4. (a) An organizer may submit to the authorizer
35 a proposal to establish a charter school.

36 (b) A proposal must contain at least the following information:

- 37 (1) Identification of the organizer.
38 (2) A description of the organizer's organizational structure and
39 governance plan.
40 (3) The following information for the proposed charter school:
41 (A) Name.
42 (B) Purposes.



- 1 (C) Governance structure.
 2 (D) Management structure.
 3 (E) Educational mission goals.
 4 (F) Curriculum and instructional methods.
 5 (G) Methods of pupil assessment.
 6 (H) Admission policy and criteria, subject to IC 20-24-5.
 7 (I) School calendar.
 8 (J) Age or grade range of students to be enrolled.
 9 (K) A description of staff responsibilities.
 10 (L) A description of the physical plant.
 11 (M) Budget and financial plans.
 12 (N) Personnel plan, including methods for selection, retention,
 13 and compensation of employees.
 14 (O) Transportation plan.
 15 (P) Discipline program.
 16 (Q) Plan for compliance with any applicable desegregation
 17 order.
 18 (R) The date when the charter school is expected to:
 19 (i) begin school operations; and
 20 (ii) have students attending the charter school.
 21 (S) The arrangement for providing teachers and other staff
 22 with health insurance, retirement benefits, liability insurance,
 23 and other benefits.
 24 (T) Any other applications submitted to an authorizer in the
 25 previous five (5) years.
 26 (4) The manner in which the authorizer must conduct an annual
 27 audit of the program operations of the charter school.
 28 **(c) In the case of a charter school proposal from an applicant**
 29 **that currently operates one (1) or more charter schools in any state**
 30 **or nation, the request for proposals shall additionally require the**
 31 **applicant to provide evidence of past performance and current**
 32 **capacity for growth.**
 33 **(d) If the proposal described in subsection (a) concerns an**
 34 **existing charter school overseen by a different authorizer than the**
 35 **authorizer to which the organizer is submitting the proposal, the**
 36 **proposal must include written acknowledgement of the proposal**
 37 **from the current authorizer. Additionally, the authorizer receiving**
 38 **the proposal shall consult with the current authorizer before**
 39 **granting approval of the proposal.**
 40 ~~(e)~~ (e) This section does not waive, limit, or modify the provisions
 41 of:
 42 (1) IC 20-29 in a charter school where the teachers have chosen



1 to organize under IC 20-29; or

2 (2) an existing collective bargaining agreement for noncertificated
3 employees (as defined in IC 20-29-2-11).

4 SECTION 7. IC 20-24-3-4.5 IS ADDED TO THE INDIANA CODE
5 AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY
6 1, 2015]: **Sec. 4.5. In reviewing and evaluating charter applications,**
7 **an authorizer shall employ procedures, practices, and criteria**
8 **consistent with nationally recognized principles and standards for**
9 **quality charter authorizing. The application review process must**
10 **include thorough evaluation of each written charter application**
11 **and an in-person interview with the applicant group.**

12 SECTION 8. IC 20-24-3-5.5, AS AMENDED BY P.L.280-2013,
13 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2015]: Sec. 5.5. (a) This section applies to an authorizer that
15 is not the executive of a consolidated city.

16 (b) Before issuing a charter, the authorizer must conduct a public
17 hearing concerning the establishment of the proposed charter school.
18 **The public hearing must be held within either the county or the**
19 **school corporation where the proposed charter school would be**
20 **located.** At the public hearing, the governing body of the school
21 corporation in which the proposed charter school will be located must
22 be given an opportunity to comment on the effect of the proposed
23 charter school on the school corporation, including any foreseen
24 negative impacts on the school corporation.

25 SECTION 9. IC 20-24-5-5, AS AMENDED BY P.L.35-2014,
26 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2015]: Sec. 5. (a) Except as provided in subsections (b), (c),
28 ~~and~~ (d), **and (e)**, a charter school must enroll any eligible student who
29 submits a timely application for enrollment.

30 (b) This subsection applies if the number of applications for a
31 program, class, grade level, or building exceeds the capacity of the
32 program, class, grade level, or building. If a charter school receives a
33 greater number of applications than there are spaces for students, each
34 timely applicant must be given an equal chance of admission. The
35 organizer must determine which of the applicants will be admitted to
36 the charter school or the program, class, grade level, or building by
37 random drawing in a public meeting.

38 (c) A charter school may limit new admissions to the charter school
39 to:

40 (1) ensure that a student who attends the charter school during a
41 school year may continue to attend the charter school in
42 subsequent years;



1 (2) ensure that a student who attends a charter school during a
 2 school year may continue to attend a different charter school held
 3 by the same organizer in subsequent years; ~~and~~

4 (3) allow the siblings of a student who attends a charter school or
 5 a charter school held by the same organizer to attend the same
 6 charter school the student is attending; **and**

7 **(4) allow preschool students who attend a Level 3 or Level 4**
 8 **Paths to QUALITY program (as defined in IC 12-17.2-3.8-1)**
 9 **preschool provider to attend kindergarten at a charter school**
 10 **if the charter school and the preschool provider have entered**
 11 **into an agreement to share services or facilities.**

12 (d) This subsection applies to an existing school that converts to a
 13 charter school under IC 20-24-11. During the school year in which the
 14 existing school converts to a charter school, the charter school may
 15 limit admission to:

16 (1) those students who were enrolled in the charter school on the
 17 date of the conversion; and

18 (2) siblings of students described in subdivision (1).

19 **(e) A charter school may give enrollment preference to children**
 20 **of the charter school's founders, governing body members, and**
 21 **charter school employees, as long as the enrollment preference**
 22 **under this subsection is not given to more than ten percent (10%)**
 23 **of the charter school's total population.**

24 SECTION 10. IC 20-24-6-3, AS ADDED BY P.L.1-2005,
 25 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2015]: Sec. 3. (a) Employees of a charter school may organize
 27 and bargain collectively under IC 20-29.

28 **(b) This subsection applies to a conversion charter school. For**
 29 **any collective bargaining agreement under IC 20-29 entered into**
 30 **after July 1, 2015, a governing body is not bound by its collective**
 31 **bargaining agreement for employees of a conversion charter**
 32 **school. Employees of a conversion charter school may organize and**
 33 **collectively bargain only as a unit separate from other school**
 34 **employees under IC 20-29.**

35 SECTION 11. IC 20-24-7-4, AS AMENDED BY P.L.47-2014,
 36 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2015]: Sec. 4. (a) Services that a school corporation provides
 38 to a charter school, including transportation, may be provided at not
 39 more than one hundred three percent (103%) of the actual cost of the
 40 services.

41 (b) This subsection applies to an authorizer that is a state
 42 educational institution described in IC 20-24-1-2.5(2). Except as



1 provided in subsection (f), in a state fiscal year, a state educational
2 institution may receive from the organizer of a charter school
3 authorized by the state educational institution an administrative fee
4 equal to not more than three percent (3%) of the total amount the
5 organizer receives during the state fiscal year from basic tuition support
6 (as defined in IC 20-43-1-8).

7 (c) This subsection applies to the executive of a consolidated city
8 that authorizes a charter school. Except as provided in subsection (f),
9 in a state fiscal year, the executive may collect from the organizer of a
10 charter school authorized by the executive an administrative fee equal
11 to not more than three percent (3%) of the total amount the organizer
12 receives during the state fiscal year for basic tuition support.

13 (d) This subsection applies to an authorizer that is a nonprofit
14 college or university that is approved by the state board of education.
15 Except as provided in **IC 20-24-2.2-1.5 and** subsection (f), in a state
16 fiscal year, a private college or university may collect from the
17 organizer of a charter school authorized by the private college or
18 university an administrative fee equal to not more than three percent
19 (3%) of the total amount the organizer receives during the state fiscal
20 year for basic tuition support.

21 (e) This subsection applies to the charter board. Except as provided
22 in subsection (f), in a state fiscal year, the charter school board may
23 collect from the organizer of a charter school authorized by the charter
24 board an administrative fee equal to not more than three percent (3%)
25 of the total amount the organizer receives during the state fiscal year
26 for basic tuition support.

27 (f) This subsection applies to an adult high school. An authorizer
28 described in subsections (b) through (e) may collect an administrative
29 fee equal to not more than three percent (3%) of the total state
30 appropriation to the adult high school for a state fiscal year under
31 section 13.5 of this chapter.

32 (g) An authorizer's administrative fee may not include any costs
33 incurred in delivering services that a charter school may purchase at its
34 discretion from the authorizer. The authorizer shall use its funding
35 provided under this section exclusively for the purpose of fulfilling
36 authorizing obligations.

37 (h) Except for oversight services, a charter school may not be
38 required to purchase services from its authorizer as a condition of
39 charter approval or of executing a charter contract, nor may any such
40 condition be implied.

41 (i) A charter school may choose to purchase services from its
42 authorizer. In that event, the charter school and authorizer shall execute



1 an annual service contract, separate from the charter contract, stating
 2 the parties' mutual agreement concerning the services to be provided
 3 by the authorizer and any service fees to be charged to the charter
 4 school. An authorizer may not charge more than market rates for
 5 services provided to a charter school.

6 (j) Not later than ninety (90) days after the end of each fiscal year,
 7 each authorizer shall provide to each charter school it authorizes an
 8 itemized accounting of the actual costs of services purchased by the
 9 charter school from the authorizer. Any difference between the amount
 10 initially charged to the charter school and the actual cost shall be
 11 reconciled and paid to the owed party. If either party disputes the
 12 itemized accounting, any charges included in the accounting, or
 13 charges to either party, either party may request a review by the
 14 department. The requesting party shall pay the costs of the review.

15 SECTION 12. IC 20-24-8-5, AS AMENDED BY P.L.160-2012,
 16 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2015]: Sec. 5. The following statutes and rules and guidelines
 18 adopted under the following statutes apply to a charter school:

- 19 (1) IC 5-11-1-9 (required audits by the state board of accounts).
- 20 (2) IC 20-39-1-1 (unified accounting system).
- 21 (3) IC 20-35 (special education).
- 22 (4) IC 20-26-5-10 (criminal history).
- 23 (5) IC 20-26-5-6 (subject to laws requiring regulation by state
 24 agencies).
- 25 (6) IC 20-28-10-12 (nondiscrimination for teacher marital status).
- 26 (7) IC 20-28-10-14 (teacher freedom of association).
- 27 (8) IC 20-28-10-17 (school counselor immunity).
- 28 (9) For conversion charter schools only **if the conversion charter**
 29 **school elects to collectively bargain under IC 20-24-6-3(b),**
 30 IC 20-28-6, IC 20-28-7.5, IC 20-28-8, IC 20-28-9, and
 31 IC 20-28-10.
- 32 (10) IC 20-33-2 (compulsory school attendance).
- 33 (11) IC 20-33-3 (limitations on employment of children).
- 34 (12) IC 20-33-8-19, IC 20-33-8-21, and IC 20-33-8-22 (student
 35 due process and judicial review).
- 36 (13) IC 20-33-8-16 (firearms and deadly weapons).
- 37 (14) IC 20-34-3 (health and safety measures).
- 38 (15) IC 20-33-9 (reporting of student violations of law).
- 39 (16) IC 20-30-3-2 and IC 20-30-3-4 (patriotic commemorative
 40 observances).
- 41 (17) IC 20-31-3, IC 20-32-4, IC 20-32-5, IC 20-32-8, and
 42 IC 20-32-8.5, as provided in IC 20-32-8.5-2(b) (academic



- 1 standards, accreditation, assessment, and remediation).
- 2 (18) IC 20-33-7 (parental access to education records).
- 3 (19) IC 20-31 (accountability for school performance and
- 4 improvement).
- 5 (20) IC 20-30-5-19 (personal financial responsibility instruction).



COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1636, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 6, delete lines 23 through 36.

Page 6, line 37, delete "(d)" and insert "(c)".

Page 6, between lines 41 and 42, begin a new paragraph and insert:

"(d) If the proposal described in subsection (a) concerns an existing charter school overseen by a different authorizer than the authorizer to which the organizer is submitting the proposal, the proposal must include written acknowledgement of the proposal from the current authorizer. Additionally, the authorizer receiving the proposal shall consult with the current authorizer before granting approval of the proposal."

Page 8, line 5, strike "and".

Page 8, line 8, delete "." and insert "; and".

Page 8, between lines 8 and 9, begin a new line block indented and insert:

"(4) allow preschool students who attend a Level 3 or Level 4 Paths to QUALITY program (as defined in IC 12-17.2-3.8-1) preschool provider to attend kindergarten at a charter school if the charter school and the preschool provider have entered into an agreement to share services or facilities."

and when so amended that said bill do pass.

(Reference is to HB 1636 as introduced.)

BEHNING

Committee Vote: yeas 11, nays 0.



HOUSE MOTION

Mr. Speaker: I move that House Bill 1636 be amended to read as follows:

Page 3, line 1, delete "section:" and insert "**section applies to an authorizer described in IC 20-24-1-2.5(1), IC 20-24-1-2.5(2), and IC 20-24-1-2.5(5) if the authorizer has not previously issued a charter for any charter school prior to July 1, 2015.**".

Page 3, delete lines 2 through 7.

Page 8, between lines 18 and 19, begin a new paragraph and insert: "SECTION 10. IC 20-24-6-3, AS ADDED BY P.L.1-2005, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. **(a)** Employees of a charter school may organize and bargain collectively under IC 20-29.

(b) This subsection applies to a conversion charter school. For any collective bargaining agreement under IC 20-29 entered into after July 1, 2015, a governing body is not bound by its collective bargaining agreement for employees of a conversion charter school. Employees of a conversion charter school may organize and collectively bargain only as a unit separate from other school employees under IC 20-29."

Page 9, delete lines 41 through 42, begin a new paragraph and insert:

"SECTION 12. IC 20-24-8-5, AS AMENDED BY P.L.160-2012, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. The following statutes and rules and guidelines adopted under the following statutes apply to a charter school:

- (1) IC 5-11-1-9 (required audits by the state board of accounts).
- (2) IC 20-39-1-1 (unified accounting system).
- (3) IC 20-35 (special education).
- (4) IC 20-26-5-10 (criminal history).
- (5) IC 20-26-5-6 (subject to laws requiring regulation by state agencies).
- (6) IC 20-28-10-12 (nondiscrimination for teacher marital status).
- (7) IC 20-28-10-14 (teacher freedom of association).
- (8) IC 20-28-10-17 (school counselor immunity).
- (9) For conversion charter schools only **if the conversion charter school elects to collectively bargain under IC 20-24-6-3(b), IC 20-28-6, IC 20-28-7.5, IC 20-28-8, IC 20-28-9, and IC 20-28-10.**
- (10) IC 20-33-2 (compulsory school attendance).
- (11) IC 20-33-3 (limitations on employment of children).



(12) IC 20-33-8-19, IC 20-33-8-21, and IC 20-33-8-22 (student due process and judicial review).

(13) IC 20-33-8-16 (firearms and deadly weapons).

(14) IC 20-34-3 (health and safety measures).

(15) IC 20-33-9 (reporting of student violations of law).

(16) IC 20-30-3-2 and IC 20-30-3-4 (patriotic commemorative observances).

(17) IC 20-31-3, IC 20-32-4, IC 20-32-5, IC 20-32-8, and IC 20-32-8.5, as provided in IC 20-32-8.5-2(b) (academic standards, accreditation, assessment, and remediation).

(18) IC 20-33-7 (parental access to education records).

(19) IC 20-31 (accountability for school performance and improvement).

(20) IC 20-30-5-19 (personal financial responsibility instruction)."

Delete page 10.

Renumber all SECTIONS consecutively.

(Reference is to HB 1636 as printed February 10, 2015.)

BEHNING

HOUSE MOTION

Mr. Speaker: I move that House Bill 1636 be amended to read as follows:

Page 3, line 10, after "corporation." insert "**The state board shall post on the state board's Internet web site an application received from an authorizer to register with the state board under this section within ten (10) days after receipt of the application. The state board may not charge an authorizer a fee to register with the state board under this section.**"

Page 5, between lines 14 and 15, begin a new paragraph and insert:

"(i) The state board shall maintain on the state board's Internet web site the names of each authorizer approved by the state board under this section."

(Reference is to HB 1636 as printed February 10, 2015.)

AUSTIN

